



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Homer Garrison, Jr., Director  
Department of Public Safety  
Camp Mabry  
Austin, Texas

Dear Sir:

Opinion No. 0-3692  
Re: Permissible length of semi-trailer under Article 827a, V. T. P. S., Section 3c.

We are in receipt of your recent request for our opinion upon the following question:

"Is it lawful to operate upon the public highways of this State a semi-trailer that by actual measurements exceeds thirty five feet in length, but when attached to a truck-tractor the distance from back axle of truck tractor to back end of semi-trailer is less than thirty five feet, the combined length of combination vehicle being less than forty five feet?"

Section 3c of Article 827a, Vernon's Texas Penal Statutes, provides:

"No motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semi-trailer shall exceed a length of thirty-five (35) feet, and no combination of such vehicles coupled together shall exceed a total length of forty-five (45) feet, unless such vehicle or combination of vehicles is operated exclusively within the limits of an incorporated city or town."

Section 3 of the recent Act of the Legislature increasing the load limit, House Bill No. 19, Acts Forty-seventh Legislature, Regular Session, provides:

"Nothing in this Act shall be construed as authorizing an increase in the size or dimensions of commercial motor vehicles as provided in the present law."

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Section 3c of the above-quoted Article 827a, Vernon's Texas Penal Statutes, specifically provides that "No . . . semi-trailer shall exceed a length of thirty-five feet." It follows that any semi-trailer which by actual measurement exceeds thirty-five feet in length, cannot be lawfully operated upon the public highways of this State. The statute clearly contemplates that in determining the length of a unit in a combination, each particular unit must be considered separately; as for example, in determining the length of a semi-trailer, the measurement would be the over-all length of such semi-trailer and not from the back wheels of a truck-tractor to which it might be attached or from the king pin of the semi-trailer. The location of the king pin or pivot point on the semi-trailer might affect the over-all length of the combination but not the unit.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

*Cecil C. Cammack*  
Cecil C. Cammack  
Assistant

CCC:LN

APPROVED JUN 30, 1941

*Gerald E. Mann*

ATTORNEY GENERAL OF TEXAS

